

NEWS from



Bill Postmus

Supervisor, 1st District

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SUPERVISOR POSTMUS APPLAUDS PUC RULING RE-OPENING SUMMIT TRUCK TRAIL RAILROAD CROSSING

SAN FRANCISCO--Administrative Law Judge Janice Grau ruled Tuesday at the Public Utilities Commission in San Francisco that a request by Oak Hills residents and the County of San Bernardino for a Temporary Restraining Order be granted, thereby compelling the Burlington Northern Santa Fe Railway Company to remove barricades blocking access across its railroad tracks at Summit Truck Trail.

First District Supervisor Bill Postmus applauded the ruling. "This is a step in the right direction," Postmus said. "Our primary concern is public safety and we have heard of incidents where emergency vehicles have been delayed by anywhere from five to 20 minutes getting across the tracks. This restraining order serves an immediate safety purpose, but we will have to go back and make the case on March 21 in San Bernardino to get a final ruling on the matter. Since the judge granted our request to intervene we will be able to be heard in that proceeding."

A hearing on the question of a permanent injunction will be held March 21 at 1 p.m. at the City of San Bernardino Council Chambers, 300 North "D" Street, San Bernardino.

On November 1, 2000, the Burlington Northern Santa Fe Railway Company constructed a locked gate across Summit Truck Trail Crossing, which is a dirt access road to the south from Oak Hills through Summit Valley and ending at Highway 138. Reports of an apparent previous train collision with a car at that point may have contributed to the railroad's decision, County officials said. The road is not a County road, nor a County-maintained road.

The residents retained the law firm of Brunick, Alvarez and Battersby on January 4,

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2001, to file the complaint with the PUC and seek the injunction that was granted Tuesday.

At Postmus' urging, the County of San Bernardino filed a complaint and petition on February 2, 2001, requesting that it be joined as a party along with the local residents in the proceeding before the PUC. The Board of Supervisors authorized the action citing public safety concerns and statements by Fire and Sheriff's officials that the barricades had been delaying emergency response times in the area.